

Attorney Docket No. 01149/HG

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicants : Yuki ABE et al.
Serial No. : 09/836,705
Filed : April 17, 2001
For : GENES FROM A GENE CLUSTER
Art Unit : 1645
Examiner :



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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R :

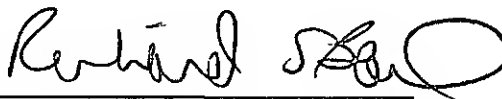
In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

Submitted herewith are the following:

- (1) Copies of publications which are discussed on pages 1 to 3 of the present specification;
- (2) A copy of WO 01/12814;
- (3) Copies of publications cited in the International Search Report for WO 01/12814;
- (4) Partial European Search Report for the corresponding European application and copies of the publications cited therein; and
- (5) Forms PTO/SB/08A and PTO/SB/08B.

It is respectfully requested that the attached publications
be considered and made "of record".

Respectfully submitted,



RICHARD S. BARTH
REG. NO. 28,180

FRISHAUF, HOLTZ, GOODMAN, LANGER & CHICK, P.C.
767 THIRD AVENUE - 25TH FLOOR
NEW YORK, NEW YORK 10017-2023
Tel. No. (212) 319-4900
Fax No. (212) 319-5101
RSB/ddf

Encs. (1) Copy of Partial European Search Report
(2) Forms PTO/SB/08A and PTO/SB/08B
(3) Publications identified therein

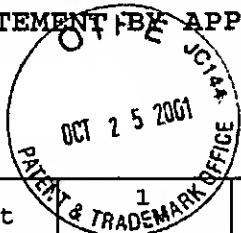
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Substitute for Form 1449A/PTO INFORMATION DISCLOSURE STATEMENT OF APPLICANT	Application Number		09/836,705	
	Filing Date		April 17, 2001	
	First Named Inventor		Yuki ABE	
	Group Art Unit		1645	
	Examiner Name			
Sheet 1	of 1	Attorney Docket Number		01149/HG



U.S. PATENT DOCUMENTS

Exam. Inits*	Cite No.	Document Number	Kind Code ²	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion

FOREIGN PATENT DOCUMENTS

Exam Inits*	Cite No.	offe'	Document Number ¹	Kind Code ³	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion	T ⁶
	Japan		57-2240 ✓			01-07-1982		*
	WIPO		WO 01/12814 ✓	A1	Sankyo Company	02-22-2001		*
	WIPO		WO 95/12661 ✓		VINCI et al.	05-11-1995		
	WIPO		WO 00/37629		HUTCHINSON et al.	06-29-2000		

Examiner Signature	Date Considered
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the aeral number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Place a check here if English translation is attached.

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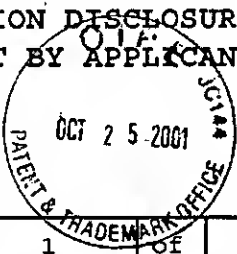
* English language abstract enclosed

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Substitute for Form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT 		Application Number	09/836,705
		Filing Date	April 17, 2001
		First Named Inventor	Yuki ABE
		Group Art Unit	1645
		Examiner Name	
Sheet	1 of 3	Attorney Docket Number	01149/HG

OTHER PRIOR ART - NON-PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of author (in CAPITAL LETTERS), title of article, title of item, date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		<p>Akira ENDO et al., ML-236A, ML-236B, and ML-236C, "New Inhibitors of Cholesterologenesis Produced By <i>Penicillium Citrinum</i>", <u>The Journal of Antibiotics</u>, <u>29</u>, 1346-1348 (1976)</p> <p>Tatsuji MATSUOKA et al., "Purification and Characterization of Cytochrome P-450_{sca} from <i>Streptomyces Carbophilus</i>", <u>Eur. J. Biochem.</u>, <u>184</u>, 707-713 (1989)</p> <p>Richard MOORE et al., "Biosynthesis of the Hypocholesterolemic Agent Mevinolin By <i>Aspergillus terreus</i>. Determination of the Origin of Carbon, Hydrogen, and Oxygen Atoms by ¹³C NMR and Mass Spectrometry", <u>J. Am. Chem. Soc.</u>, <u>107</u>, 3694-3701 (1985)</p> <p>Ming-Shi SHIAO and Hsiao-Shek DON, "Biosynthesis of Mevinolin, A Hypocholesterolemic Fungal Metabolite, in <i>Aspergillus terreus</i>", <u>Proc. Natl. Sci. Counc. Repub. China B. ROC</u>, <u>11</u>, 223-231 (1987)</p> <p>David A. HOPWOOD and David H. SHERMAN, "Molecular Genetics of Polyketides and its Comparison to Fatty Acid Biosynthesis", <u>Annu. Rev. Genet.</u>, <u>24</u>, 37-66 (1990)</p> <p>C. Richard HUTCHINSON and Isao FUJII, "Polyketide Synthase Gene Manipulation: A Structure-Function Approach in Engineering Novel Antibiotics", <u>Annu. Rev. Microbiol.</u>, <u>49</u>, 201-238 (1995)</p> <p>Guo Hong FENG and Thomas J. LEONARD, "Characterization of the Polyketide Synthase Gene (pksL1) Required for Aflatoxin Biosynthesis in <i>Aspergillus parasiticus</i>", <u>Journal of Bacteriology</u>, <u>177</u>, 6246-6254 (1995)</p>	
Examiner Signature		Date Considered	

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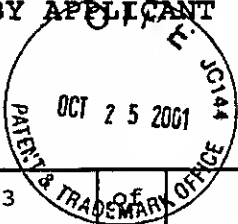
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		First Named Inventor	Yuki ABE	
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OTHER PRIOR ART - NON-PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of author (in CAPITAL LETTERS), title of article, title of item, date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		<p>Isao FUJII et al., "Structures and Functional Analyses of Fungal Polyketide Synthase Genes", <u>Actinomycetol</u>, <u>12</u>(1), 1-14 (1998)</p> <p>Joachim BECK et al., "The Multifunctional 6-methylsalicylic Acid Synthase Gene of <i>Penicillium patulum</i>", <u>Eur. J. Biochem.</u>, <u>192</u>(2), 487-498 (1990)</p> <p>Yoshio TSUJITA, "Discovery and Development of Hypolipidemic Drug, Pravastatin Sodium", <u>Tiss. Cult. Res. Commun.</u>, <u>12</u>(4), 279-289, (1993)</p> <p>C. Richard HUTCHINSON et al., "Aspects of the Biosynthesis of non-aromatic Fungal Polyketides by Iterative Polyketide Synthases", <u>Antonie van Leeuwenhoek</u>, <u>78</u>(3-4), 287-295, (2000)</p> <p>Jonathan KENNEDY et al., "Hypothetical 57.6 kDa Protein", DATABASE EMBL, Online, 1 November 1999 (1999-11-01), retrieved from EBI, accession no. q9y7d4 Database accession no. af141925 XP002176845.</p> <p>Futoshi NARA et al., "Development of a Transformation System for the Filamentous, ML0-236B (compactin)-Producing Fungus <i>Penicillium citrinum</i>", <u>CURRENT GENETICS</u>, Vol. 23, No. 1, 1993, pages 28-32, XP001018104.</p> <p>Masahiko HOSOBUCHI. et al., "Production of ML-236B, and Inhibitor of 3-Hydroxy-3-Methylglutaryl CoA Reductase by <i>Penicillium Citrinum</i>: Improvements of Strain and Culture Conditions", <u>BIOSCIENCE BIOTECHNOLOGY BIOCHEMISTRY</u>, JAPAN SOC. FOR BIOSCIENCE, BIOTECHNOLOGY AND AGROCHEM., Tokyo, Japan, Vol. 57, No.9, 1993, pages 1414-1419.</p>	
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